

#9



**DECLARATION UNDER 37 C.F.R. § 1.131**

The undersigned John C. Mears, Gary E. Korzeniowski, William R. Lewis, Jr. and Ly K. Peang-Meth, joint inventors of the subject matter disclosed and claimed in U.S. patent application Serial No. 09/400,320, filed on September 23, 1999 and entitled "A Contact Center System Capable of Handling Multiple Media Types of Contacts and Method for Using the Same", hereby declare as follows:

1. Microlog Corporation, of Germantown, Maryland, the assignee of the U.S. patent application identified above, was originally founded in 1969 as Old Dominion Systems, Inc., (ODS), a highly technical performance analysis and engineering services company. Microlog started in 1977 as a subsidiary of ODS. Microlog Corporation designs and supports products, applications, and professional services for the corporate customer contact center marketplace.

2. In the course of our tenure at Microlog Corp., we were closely involved in development of the uniQue™ and uniQue™ Agent products. As evidenced by Exhibits A and B hereto, which are copies of two press releases dated September 23, 1998, both the uniQue™ and uniQue™ Agent products were conceived and actually reduced to practice prior to October 13, 1998. It is our belief, however, that no activity occurred relating to the uniQue™ and uniQue™ Agent products which would qualify as a statutory bar under 35 U.S.C. § 102(b) to the invention covered by the claims of the above-identified U.S. patent application.

3. As evidenced by Exhibits A-F hereto, the uniQue™ and uniQue™ Agent products which were reduced to practice prior to October 13, 1998, provide a system (hereinafter "the system") for use with a contact center that is capable of efficiently and effectively handling different types of media contacts. Further, these Exhibits show that the system enables a contact center to receive and maintain different types of contact media in a common queue, while awaiting routing to the appropriate agents of the call center. Specifically, the system provides a queuing component that enables a call center to maintain different media types, such as telephone calls, e-mails, facsimiles, web-chat, voice-over-Internet protocol, hardcopy mail, and so on, in

the common queue, while they are awaiting distribution to appropriate agents in the contact center for handling based on criteria associated with the contacts and/or available agents. The system further provides a routing component which enables the contact center to route the queued contacts to the agent workstations based on criteria of the contacts, criteria of the agents, or both. A media changing component of the system is capable of changing a media type of any of the media type contacts to generate a changed media type contact, while the queuing component is capable of entering the changed media type contact in the common queue and the routing component is capable of routing the changed media-type contact to at least one of the workstations. A contact handling component initiates an event at any of the workstations in response to the contact being routed to the workstation, so that an agent at the workstation can handle the contact as appropriate. Further, the system provides that the agent can be notified of a routed contact at his or her workstation by a ringing telephone, or through the generation of a display on the agent's display screen.

4. As discussed above, Exhibit A is a press release dated September 23, 1998 generally describing several of these features made available by the uniQue™ product. Exhibit B is also a press release dated on September 23, 1998, generally describing several of the features made available by the uniQue™ Agent product. Exhibit C is a press release dated October 20, 1998, generally describing several of these features made available by the uniQue™ products. Exhibit D is an article from "Teleconnect" magazine, dated November 1998, which discusses events occurring at the CT (Computer Telephony) Demo exhibition held at the Jacob Javits Convention Center in September 1998, and which generally describes several of the features of the uniQue™ products. Exhibit E is an article from "Computer Telephony" magazine dated November 1998, which discusses events occurring at the CT Demo exhibition held at the Jacob Javits Convention Center in September 1998, and which generally describes several of the features of the uniQue™ products. Exhibit F is an article from "Microlog News", an international publication dated Winter 1998, which discusses events occurring at the CT Demo exhibition held at the Jacob Javits Convention Center in September 1998, and which generally describes several of the features of the uniQue™ products.

5. As evidenced by Exhibit A and F, the system can funnel various types of media transactions (telephone calls, e-mail, web, facsimiles, hardcopy mail, voice-over-Internet protocol, among others) into one easy to manage queue. (See, for example, Exhibit A, the second paragraph, lines 1-3; and Exhibit F, page 2, middle column, second paragraph). Further, the system can enable the contact center manager to prioritize and track responses to all inquiries, not just those received over the telephone. (See, for example, Exhibit A, the second paragraph, lines 1-3; Exhibit A, third paragraph, lines 1-3; and Exhibit F, page 2, middle column, third paragraph). Additionally, the system will provide the means to truly track customers' inquiries independent of the media selected to communicate with the contact center. (See, for example, Exhibit A, second paragraph, lines 5 and 6). Exhibit A further shows that the system has the ability to prioritize incoming contacts by applying logic to determine the sequence in which the transactions will be routed to the appropriate contact center agent based on the skill set of that particular agent. Exhibit A further discloses that the system creates the ability to establish an unlimited number of prioritization criteria which is key for enabling the contact center to grow and change as needed. (See, for example, Exhibit A, third paragraph, lines 3-4). By virtue of the "funneling" operation discussed above, Exhibit A discloses that media of any type can be dealt with in a uniform manner. (See, for example, Exhibit A, second paragraph, lines 1-3).

6. As evidenced by Exhibits B-E, the system has the ability to incorporate computer telephony integration and web technology, which links the agent's desktop with the company's Internet and/or extra-net, and its vast information base. (See, for example, Exhibit B, first paragraph, lines 3 and 4; Exhibit C, second paragraph, lines 2-4; and Exhibit E, second page, Fig. 2, and first column, sixth full paragraph). This allows the agent to access the system, and receive prioritized contacts, as described in reference to Exhibits A and F above. Further, Exhibits C-E disclose that the system enables a workstation of a content center to handle all incoming customer contacts (regardless of media type) from one unified queue. (See, for example, Exhibit C, third paragraph, lines 2-4; Exhibit D, first page, second column, second paragraph, through

second page, end of the article; and Exhibit E, second page, first column, first, second and third full paragraphs). Finally, Exhibit E further discloses that a display is generated on an agent's display screen in response to an event, or a received contact. (See, for example, Exhibit E, second page, second column; and Fig. 2 and its description below).

7. Each of the events described in paragraphs 1-6 above took place within the United States of America.

The declarants further state that all statements made herein of their own knowledge are true, and that all statements made herein on information and belief are believed to be true, and that all such statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

2/28/03  
Date

2/27/03  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

John C. Mears  
John C. Mears

Gary E. Korzeniowski  
Gary E. Korzeniowski

\_\_\_\_\_  
William R. Lewis, Jr.

\_\_\_\_\_  
Ly K. Peang-Meth